

Serial No. **10/814,165**
Amdt. dated **October 17, 2007**
Reply to Office Action of **July 17, 2007**

Docket No. **K-0630**

REMARKS/ARGUMENTS

Claims 1, 2, 4-18 and 21-23 are pending in this application. By this Amendment, claims 1, 2 and 4-18 are amended, claims 21-23 are added, and claims 3, 19 and 20 are canceled without prejudice or disclaimer. Support for the claims can be found throughout the specification, including the original claims and the drawings. Withdrawal of the rejections in view of the above amendments and the following remarks is respectfully requested.

I. Informalities

The Office Action objects to the drawings under 37 CFR 1.84(p)(5), alleging that reference numeral 330c' referenced in paragraph 50 of the specification is not shown in the drawings. The Examiner's attention is directed to Figure 2 of the present application, in which reference numeral 330c' (associated with the pseudo-discharge muffler) is shown, just to the left of the motor part 200. It is respectfully submitted that the drawings meet the requirements of 37 CFR 1.83(p)(5), and thus the objection should be withdrawn.

The Office Action also objects to the drawings under 37 CFR 1.83(a), and objects to claim 20 due to an informality. Claims 19 and 20 have been cancelled, and thus these objections are moot.

The Office Action objects to the specification due to various informalities. It is respectfully submitted that the amendments to the specification filed herewith are responsive to the Examiner's comments, and thus the objection to the specification should be withdrawn.

II. Rejection Under 35 U.S.C. §112, Second Paragraph

Claims 2-5, 8-13, 15 and 17-19 are rejected under 35 U.S.C. §112, second paragraph, as allegedly indefinite. Claims 3 and 19 have been cancelled. Further, it is respectfully submitted that the amendments to the remaining claims are responsive to the Examiner's comments, and that claims 2, 4, 5, 15, 17 and 18 meet the requirements of 35 U.S.C. §112, second paragraph. Accordingly, the rejection should be withdrawn.

III. Rejections Under 35 U.S.C. §103(a)

Claims 1-5, 7-11, 13-16, 18 and 20 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 3,066,857 to McCloy in view of U.S. Patent No. 3,187,996 to Roelsgaard. Claims 3 and 20 have been cancelled. This rejection, in so far as it applies to the remaining claims, is respectfully traversed.

Independent claim 1 is directed to a hermetic compressor including a compression part coupled to a motor part provided in a container. A discharge muffler is positioned adjacent to the compression part, and a discharge pipe extends through a side of the container. A loop pipe extends from the discharge muffler to the discharge pipe so as to discharge refrigerant from the discharge muffler through the discharge pipe. At least one transit tube is coupled to an end of the loop pipe. The at least one transit tube at least partially surrounds an outer circumferential surface of the end of the loop pipe. As acknowledged in the Office Action, McCloy alone neither discloses nor suggests each of the features of independent claim 1, or the claimed combination of features.

McCloy discloses a compressor unit including a driving motor 16, a compressor 18, and a cylinder block 32 including a piston 36 and cylinder 34 provided in a case 10. Compressed refrigerant passes from a muffler 48 through a discharge conduit 50 to a condenser 52 provided outside the case 10. McCloy neither discloses nor suggests any type of transit tube that at least partially surrounds an outer circumferential surface of an end of the discharge conduit 50, as recited in independent claim 1. Thus, Roelsgaard is cited as allegedly teaching the claimed transit tube. However, Roelsgaard fails to overcome the deficiencies of McCloy.

Roelsgaard discloses a compressor including a motor M coupled to a compressor C within a capsule 2. As shown in Figure 2 of Roelsgaard (referred to in the Office Action), a flexible tube 21 directs compressed refrigerant from a discharge chamber of the compressor C to a condenser located outside of the capsule 2. A first end of the flexible tube 21 is fitted around an outer circumferential surface of a short tube 14a that projects outward from the compressor C, and a second end of the flexible tube 21 is fitted around an outer circumferential surface of a tube 17 that passes through the outer wall of the capsule 17. Thus, the short tube 14a (compared in the Office Action to the claimed transit tube) is fitted inside of the flexible tube 21 (compared in the Office Action to the claimed loop pipe).

Roelsgaard neither discloses nor suggests that any portion of the short tube 14a, or transit tube, at least partially surrounds an outer circumferential surface of the end of the flexible tube 21, or loop pipe. Likewise, Roelsgaard neither discloses nor suggests that any portion of the tube 17 at least partially surrounds an outer circumferential surface of the end of the flexible

tube 21. Thus, Roelsgaard neither discloses nor suggests at least one transit tube as recited in independent claim 1.

Accordingly, it is respectfully submitted that independent claim 1 is allowable over the applied combination, and thus the rejection of independent claim 1 under 35 U.S.C. §103(a) over McCloy and Roelsgaard should be withdrawn. Dependent claims 2, 4, 5, 7-11, 13-16 and 18 are allowable at least for the reasons set forth above with respect to independent claim 1, from which they depend, as well as for their added features.

The Office action rejects claim 6 under 35 U.S.C. §103(a) over McCloy and Roelsgaard in view of U.S. Patent No. 6,152,703 to Yoshimura et al. (hereinafter "Yoshimura"), and rejects claim 12 under 35 U.S.C. §103(a) over McCloy and Roelsgaard in view of U.S. Patent No. 4,478,559 to Andrione et al. (hereinafter "Andrione"). The Office Action also rejects claim 17 under 35 U.S.C. §103(a) over McCloy and Roelsgaard in view of Seo, U.S. Patent Publication No. 2004/0009077. These rejections are respectfully traversed.

Dependent claims 6, 12 and 17 are allowable over McCloy and Roelsgaard at least for the reasons set forth above with respect to independent claim 1, from which they depend, as well as for their added features. Further, Yoshimura is merely cited as allegedly teaching the use of Teflon, Andrione is merely cited as allegedly teaching the use of a balance weight, and Seo is merely cited as allegedly teaching the use of a plurality of mufflers. Thus, Yoshimura, Andrione and Seo each fails to overcome the deficiencies of McCloy and Roelsgaard as set forth above.

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Accordingly, it is respectfully submitted that claims 6, 12 and 17 are allowable over the respective applied combinations, and thus the rejections should be withdrawn.

The Office Action rejects claim 19 under 35 U.S.C. §103(a) over McCloy and Roelsgaard in view of U.S. Patent No. 2,961,149 to Hull. Claim 19 has been cancelled, and thus this rejection is moot.

IV. New Claims 21-23

New claims 21-23 are added to the application. It is respectfully submitted that new claims 21-23 meet the requirements of 35 U.S.C. §112, and are allowable at least for the reasons set forth above with respect to independent claim 1, from which they depend, as well as for their added features.

V. Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned **Joanna K. Mason**, at the telephone number listed below.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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